FARAD CONTINUATION SHEET NO:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.2289 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Y.D.Mulani i/b Ms.Shobha Waghmare for the petitioner.
Mr.Pradeep Jadhav AGP for respondent nos.1 and 3.
Ms.Shabanam Kazi for respondent no.2.

CORAM: D.B.BHOSALE, J.
DATED: 25TH OCTOBER, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this writ petition the petitioner has impugned an order passed by the Deputy Registrar, Co-operative Societies dated 3rd October, 2007 by which the Deputy Registrar has allowed the appeal filed by respondent no.2 challenging rejection of his nomination for the election of the housing society. The Deputy Registrar after having considered merits of the case has held that respondent no.2 is entitle to contest election being associate member of the society. Apart from the fact that voting is on 28.10.2007, I find no reason to interfere with such order where the petitioner has raised

disputed questions of facts, in the extraordinary jurisdiction of this court under Article 226 of the Constitution of India. It would be open for the petitioner to challenge an election of respondent no.2, if he gets elected in the election, by way of election petition/dispute. With these observations the writ petition is dismissed.

(D.B.BHOSALE, J.)